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August 23, 2005

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Art Unit: 3761

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Atti

Attn: Mail Stop Amendment

Re:

U.S. Utility Patent Application

Application No. 10/785,065; Filed: February 25, 2004

For:

Self-Cleaning Apparatus for Material Transfer, Collection and

**Disposal** 

Inventor:

Nicholas J. Berg

Our Ref:

2241.0010000/TGD/JDS

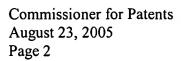
Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement;
- 2. Two (2) sheets of IDS Forms (SB/08A and SB/08B) listing the cited documents (US1-US14 and NPL-1);
- 3. Copy of the cited document (NPL-1); and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f202.371.2540: www.skqf.com



The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy-Gene 6. Durkin Attorney for Applicant Registration No. 32,831

TGD/JDS:la Enclosures

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In re application of:

Nicholas J. Berg

Appl. No.: 10/785,065

Filed: February 25, 2004

For: Self-Cleaning Apparatus for Material Transfer, Collection and

**Disposal** 

Confirmation No.: 8925

Art Unit: 3761

Examiner: Hill, Laura C.

Atty. Docket: 2241.0010000/TGD/JDS

## **Information Disclosure Statement**

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this
  Information Disclosure Statement was cited in a communication from a foreign
  patent office in a counterpart application and this communication was not
  received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty
  days prior to the filing of this information disclosure statement.

□ 3.	Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being					
	filed more tha	in three months after the U.S. filing date AND after the mailing date				
	of the first Office Action on the merits, but before the mailing date of a Final					
	Rejection, or	Notice of Allowance, or an action that otherwise closes prosecution				
	in the applica	tion.				
	□ a.	Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each				
		item of information contained in this Information Disclosure				
		Statement was first cited in any communication from a foreign				
		patent office in a counterpart foreign application not more than				
		three months prior to the filing of this Information Disclosure				
		Statement. 37 C.F.R. § 1.97(e)(1).				
	□ b.	Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item				
		of information in this Information Disclosure Statement was cited				
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		inquiry, was known to any individual designated in 37 C.F.R.				
		§ 1.56(c) more than three months prior to the filing of this				
		Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).				
	☐ c.	Attached is our PTO-2038 Credit Card Payment Form in the				
		amount of \$ in payment of the fee under 37 C.F.R. §				
		1.17(p).				

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	filed more tha	an three months after the U.S. filing date and after the mailing date
	of a Final Rej	ection or Notice of Allowance, but before payment of the Issue Fee.
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	\$ i	n payment of the fee under 37 C.F.R. § 1.17(p); in addition:
	☐ a.	Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each
		item of information contained in this Information Disclosure
		Statement was first cited in any communication from a foreign
		patent office in a counterpart foreign application not more than
		three months prior to the filing of this Information Disclosure
		Statement. 37 C.F.R. § 1.97(e)(1).
	□ b.	Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item
		of information in this Information Disclosure Statement was cited
		in a communication from a foreign patent office in a counterpart
		foreign application and, to my knowledge after making reasonable
		inquiry, was known to any individual designated in 37 C.F.R. §
		1.56(c) more than three months prior to the filing of this
		Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
<u></u>	The documen	t(s) was/were cited in a search report by a foreign patent office in a
	counterpart fo	oreign application. Submission of an English language version of
	the search rep	ort that indicates the degree of relevance found by the foreign office

is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38. 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3). 7. A copy of document NPL-1 is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted. 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. , filed , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d). 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). In accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application. It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application

that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy-Gene G. Durkin Attorney for Applicant Registration No. 32,831

Date: August 23, 2005

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			U.S. PATENT DO	CUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages
		Number-Kind Code <sup>2 (If Known)</sup>			or Relevant Figures Appear
	US1	4,957,491	09/18/1990	Parker	
	US2	5,282,744	02/01/1994	Meyer	
	US3	5,607,411	03/04/1997	Heironimus et al.	
	US4	5,741,237	04/21/1998	Walker	
	US5	5,788,852	08/04/1998	Mescon	
	US6	6,001,086	12/14/1999	Rammacher	
	US7	6,039,724	03/21/2000	Seifert et al.	
	US8	6,146,136	11/14/2000	Tenniswood	
	US9	6,180,000 B1	01/30/2001	Wilbur et al.	
	US10	6,342,048 B1	01/29/2002	Verkaart et al.	
	US11	6,368,310 B1	04/09/2002	Bemis et al.	
	US12	6,663,586 B2	12/16/2003	Verkaart et al.	
	US13	US 2002/0082569 A1	06/27/2002	Wildman	
	US14	US 2002/0185559 A1	12/12/2002	Grimes	
	US15				
	US16				
	US17				
	US18				
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where	
	į	Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	FP1					<u> </u>
	FP2					L
	FP3					<u> </u>
	FP4					
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	FP6					
	FP7					
	FP8					<u> </u>
	FP9					

Examiner	Date
Signature	Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO				Complete if Known		
				Application Number	10/785,065	
INFORMATION DISCLOSURE				Filing Date	February 25, 2004	
STATEMENT BY APPLICANT (Use as many sheets as necessary)			PLICANT	First Named Inventor	Nicholas J. Berg	
				Art Unit	3761	
	•			Examiner Name	Hill, Laura C.	
Sheet	1	of	1	Attorney Docket Number	2241.0010000/TGD/JDS	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	The 2001 Medical Design Excellence Awards, Surgical equipment, instruments, and supplies; Neptune waste-management system, submitted and designed by American Immuno Tech Inc. (Costa Mesa, CA). Presented by Canon Communications LLC.	
	NPL2	,	
	NPL3		
	NPL4		
	NPL5		
	NPL6		
	NPL7		
	NPL8		
	NPL9		

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

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Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.